

## **REMARKS**

In the Official Action of December 2, 2005, claim 1 was objected to based on informalities; claims 9-15 were allowed; claims 1 and 3-6 were rejected under 35 USC 103(a); and claims 2, 7 and 8 were objected to but indicated as allowable if rewritten.

The present communication is fully responsive to the Official Action of December 2, 2005.

### **Claim Objections (informalities)**

As indicated in the Listing of the Claims, claim 1 has been amended to properly recite “said dump valve element.”

### **Claim Rejections – 35 USC 103(a)**

Claims 1 and 3-6 were rejected under 35 USC 103(a) as being unpatentable over Eslinger et al 20020062963 (now US 6,533,037) in view of Hosie 6,209,663.

As evidenced by the attached copy of Assignment (Reel/Frame 011328/0701) effective November 22, 2000, at the time of invention, both the presently claimed invention and the Eslinger et al reference were owned by or subject to an obligation of assignment to Schlumberger Technology Corporation. Accordingly, the Eslinger et al reference does not qualify as prior art per 35 USC 103(c).

Accordingly, the rejection of claims 1 and 3-6 under 35 USC 103(a) should be withdrawn and the claims allowed.

**Allowable Subject Matter**

Claims 2, 7 and 8 were indicated as being allowable if rewritten in independent form. In light of the above traversal, claims 2, 7 and 8 should be considered allowable in their present form as they depend from allowable independent claims.

Claims 9-15 were allowed.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



Tim Curington  
Reg. No. 45,944

Date: 5-2-06  
Schlumberger Technology Corporation  
555 Industrial Blvd, MD 21  
Sugar Land, Texas 77478  
281-285-4524  
281-285-4703 (fax)



36.0541  
**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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Washington, D.C. 20231

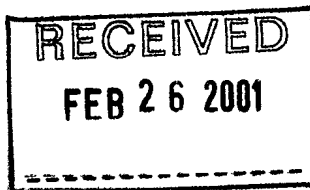
FEBRUARY 22, 2001

PTAS

SCHLUMBERGER TECHNOLOGY CORPORATION  
JEFFREY E. GRIFFIN  
14910 AIRLINE ROAD  
P.O. BOX 1590  
ROSHARON, TX 77583-1590



\*101550812A\*



UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/29/2000

REEL/FRAME: 011328/0701  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ESLINGER, DAVID M.

DOC DATE: 11/22/2000

ASSIGNOR:

MCGILL, HOWARD L.

DOC DATE: 11/22/2000

ASSIGNOR:

COSTLEY, JAMES M.

DOC DATE: 11/22/2000

ASSIGNOR:

SHEFFIELD, RANDOLPH J.

DOC DATE: 11/22/2000

ASSIGNOR:

ZEMLAK, WARREN M.

DOC DATE: 11/22/2000

ASSIGNEE:

SCHLUMBERGER TECHNOLOGY  
CORPORATION  
1100 SCHLUMBERGER DRIVE  
SUGAR LAND, TEXAS 77478

MTAIB  
MTVCP

011328/0701 PAGE 2

SERIAL NUMBER: 09725779  
PATENT NUMBER:

FILING DATE: 11/29/2000  
ISSUE DATE:

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

## ASSIGNMENT

WHEREAS, We, David M. Eslinger, a citizen of the United States, residing at 6504 S. 221st East Ave., Broken Arrow, OK 75014; Howard L. McGill, a citizen of the United States, residing at Route 9, Box 4204, Lufkin, TX 75901; James M. Costley, a citizen of the United States, residing at 715 Griffin, Freeport, TX 77541; Randolph J. Sheffield, a citizen of the United States, residing at 4422 Lakeshore Forest Dr., Missouri City, TX 77459; and Warren M. Zemlak, a citizen of Canada, residing at Eau Claire Place 1, 525-3rd Avenue, S.W., Calgary, Alberta, Canada hereinafter referred to as the "Inventors", have made inventions and improvements in: FLOW-OPERATED VALVE application for United States Letters Patent, executed of even date herewith (Docket No. 56.0571, hereinafter referred to as the "Invention(s)").

AND WHEREAS SCHLUMBERGER TECHNOLOGY CORPORATION, hereinafter referred to as "said COMPANY," a corporation duly organized, incorporated and existing under the laws of the State of Texas, and having a place of business at 110 Schlumberger Drive, Sugar Land, Texas 77478, is desirous of acquiring or confirming its acquisition of the entire right, title and interest in and to the Invention(s), and in and to said application, and in and to any and to any and all patents, both of the United States and of all foreign countries, that may be obtained therefore.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that I, for good and valuable considerations, the receipt and sufficiency of which hereby acknowledge, have sold, assigned, transferred and conveyed, and by this assignment do sell, assign, transfer and convey, unto said COMPANY, its successors and assigns, my entire right, title and interest throughout the world, in and to the Invention(s), described or set forth in said application, in any form or embodiment thereof, and in and to said application, and in and to any applications filed in any foreign country based thereon, including the right to file foreign applications under the provisions of any convention or treaty; and in and to any confirmation, divisional, continuation, continuation-in-part, or substitute application which may be filed on the Invention(s) in the United States or in any foreign country; and in and to any and all patents, certificates, utility models, reissues, extensions, additions or confirmations thereof which may be granted in the United States or in any foreign country upon the Invention(s).

TO HAVE AND TO HOLD the same to the full end of the term or terms for which any and all such United States and foreign patents and grants may be issued on the Invention(s).

AND I do hereby authorize and request the issuing authority to issue any and all of said United States and foreign patents on said application or applications to said COMPANY, its successors and assigns, as the assignee of my entire right, title and interest in and to the same, for the sole use and benefit of said COMPANY, its successors and assigns.

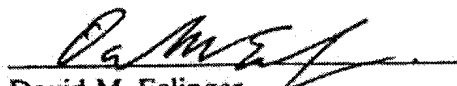
AND I do hereby covenant and warrant that I have full right to convey my entire right, title and interest herein assigned free and clear of all licenses, encumbrances and liens

whatsoever, and that I have not executed and will not execute any instruments in conflict herewith.

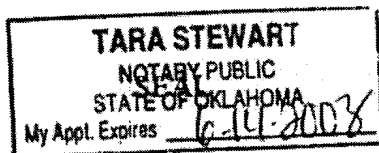
AND I, for the conditions aforesaid, do hereby covenant and agree to and with the said COMPANY, its successors and assigns, that I, my executors, administrators, or other personal representatives, shall and will do all lawful acts and things, make all rightful oaths, and make, execute and deliver any and all other instruments in writing, and any and all further applications, papers, powers, affidavits, assignments, disclaimers and other documents, which in the opinion of counsel for said COMPANY, its successors and assigns, may be required or necessary in this or in any foreign country more effectually to secure and vest in said COMPANY, its successors and assigns, the entire right, title and interest in and to the Invention(s), and any related application or applications, patents, rights, titles, benefits, privileges, and advantages hereby sold, assigned, confirmed, transferred and conveyed.


IN WITNESS WHEREOF, I, David M. Eslinger have hereunto set my hand and seal this

21 Nov, 2000.

  
David M. Eslinger  
OK DL 443645942

BEFORE ME, this Nov. 21, 2000 personally appeared David M. Eslinger, to me known to be the person who is described in and who executed the foregoing assignment instrument, and acknowledged to me that he executed the same of his own free will for the purpose therein expressed.



  
Notary Public  
My Commission Expires: 6-14-2003

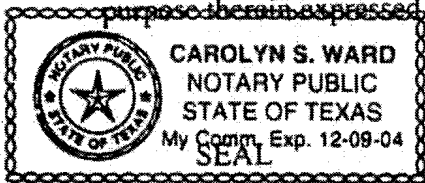
IN WITNESS WHEREOF, I, Howard L. McGill have hereunto set my hand and seal this  
November 22, 2000.

Howard L. McGill  
Howard L. McGill

STATE OF TEXAS       §  
                                  §  
COUNTY OF Angelina §

BEFORE ME, this November 22, 2000 personally appeared Howard L. McGill,  
to me known to be the person who is described in and who executed the foregoing assignment  
instrument, and acknowledged to me that he executed the same of his own free will for the

~~purpose therein expressed.~~



Carolyn Ward  
Notary Public in and for the State of Texas

My Commission Expires: 12-09-04

IN WITNESS WHEREOF, I, James M. Costley have hereunto set my hand and seal this  
Nov. 20, 2000.

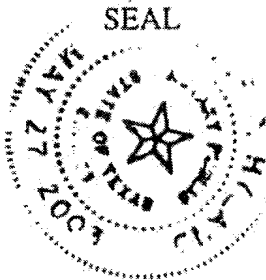
JAMES M. Costley  
James M. Costley

STATE OF TEXAS       §  
                                 §  
COUNTY OF BRAZORIA §

BEFORE ME, this November 20, 2000 personally appeared James M. Costley, to me known to be the person who is described in and who executed the foregoing assignment instrument, and acknowledged to me that he executed the same of his own free will for the purpose therein expressed.

James C. Highland  
Notary Public in and for the State of Texas

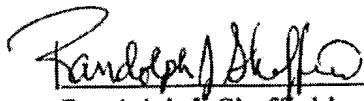
My Commission Expires: 5/27/03





IN WITNESS WHEREOF, I, Randolph J. Sheffield have hereunto set my hand and seal this

NOVEMBER 20, 2000.


  
Randolph J. Sheffield

STATE OF TEXAS §

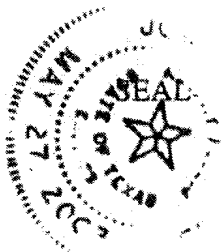
§

COUNTY OF BRAZORIA §

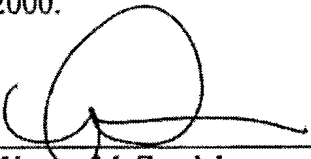
BEFORE ME, this November 20, 2000 personally appeared Randolph J. Sheffield, to me known to be the person who is described in and who executed the foregoing assignment instrument, and acknowledged to me that he executed the same of his own free will for the purpose therein expressed.

  
Notary Public in and for the State of Texas

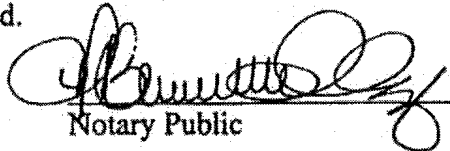
My Commission Expires: 12-15-03



IN WITNESS WHEREOF, I, Warren M. Zemlak have hereunto set my hand and seal this  
22nd Day of November 2000.

  
\_\_\_\_\_  
Warren M. Zemlak

BEFORE ME, this November 22, 2000 personally appeared Warren M. Zemlak,  
to me known to be the person who is described in and who executed the foregoing assignment  
instrument, and acknowledged to me that he executed the same of his own free will for the  
purpose therein expressed.

  
\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: 10/13/2002

WARREN M. ZEMLAK

